

REMARKS

Summary of the Office Action

Claims 1-44 are pending.

Claims 1-44 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,236,972 to Shkedy.

Summary of Response

Claims 1 and 17 have been amended to more particularly point out and distinctly claim the subject matter of the invention. Claim 18 has been cancelled. Claims 19-33 have been amended so they do not depend from a cancelled claim. No new matter is added by the amendments.

Rejections under 35 U.S.C. § 102(e)

Claims 1-44 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,236,972 to Shkedy.

It is axiomatic that a reference anticipates a claim only if the reference discloses each limitation of the subject claim, in as much detail as recited in the claim, and arranged as required by the claim. See MPEP 2131. It is respectfully submitted, that Shkedy fails to disclose each element of independent claims 1 and 17. Accordingly, claims 1 and 17, as well as claims depending therefrom, distinguish and are patentable over Shkedy.

Amended claim 1 recites *inter alia* "issuing a plurality of electronic tokens" to a user "for use in micropayment transactions." Applicants have studied the reference and the lengthy portion thereof cited by the examiner as disclosing this feature. There does not appear to be any disclosure of the use of electronic tokens or the issuance of electronic tokens to a user. For example, the system architecture disclosed by Shkedy includes a Customer account database that stores information such as customer ID, bank account numbers, and debit or credit card transactions. The account may be a pointer to data stored at a customer's bank. Column 10, lines 48-53. It is readily apparent that Shkedy contemplates payments made by transferring funds from the buyer's bank account to the seller's bank account. As such, the Shkedy system is limited to transactions at least as large as the smallest units of the underlying currency, e.g., one cent, and each transaction incurs the overhead of a bank transaction. Accordingly, the Shkedy system would not be suitable for micropayment transactions as required by claim 1.

Amended claim 1 further requires "accepting, from a vendor, a request for a micropayment transaction between the user and the vendor for specific tangible goods, content, or services." That is, the vendor or seller sends a request to the MSP to execute a micropayment transaction with a specific user for specific tangible goods, content, or services. In contrast, Shkedy discloses a system wherein buyers and sellers independently submit orders to buy or sell mutual fund shares. The seller of the shares does not request a transaction with a specific buyer. Accordingly, Shkedy does not disclose accepting a request from the vendor as recited in claims 1.

It is respectfully submitted that Shkedy fails to disclose each element of amended claim 1. Accordingly, Shkedy

is distinguished by claim 1 as well as by claims 2-16 which depend therefrom.

Amended claim 17 recites a micropayment service provider server, comprising *inter alia* "a routine for issuing a plurality of electronic tokens from the micropayment service provider server;" and "a transaction routine for accepting a requests from a vendor for a transaction, the request identifying a specific user and specific tangible goods, content, or services..." As provided above in respect of claim 1, these features are not disclosed by Shkedy. It is respectfully submitted, therefore, that Shkedy is distinguished by claim 17, as well as by claims 19-44 which depend therefrom.

In view of the foregoing arguments, it is respectfully requested that the rejection(s) of claims 1-17 and 19-44 under 35 U.S.C. § 102(e) be reconsidered and withdrawn.

Conclusion

In view of the foregoing amendments and remarks, applicant submits that the application, including claims 1-17 and 19-44, is in condition for allowance. An early and favorable response is earnestly requested.

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